

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE

SAN FRANCISCO, CA 94102-3298



January 17, 2003

President Michael R. Peevey
Commissioner Geoffrey F. Brown
Commissioner Susan P. Kennedy
Commissioner Loretta M. Lynch
Commissioner Carl W. Wood

Subject: ESP Complaint Report

D. 98-03-072 requires the Consumer Services Division (CSD), renamed the Consumer Protection and Safety Division (CPSD) to develop and prepare a report to the Commission showing the number of complaints against ESPs as well as formal enforcement investigations on ESPs. The decision also requires that this information be made available to the public and be posted on the Commission's web site. The report, issued initially every three months, is now issued semiannually in accordance with D. 98-03-072 directives.

Attached is the twelfth ESP complaint report due January 17, 2003, which covers the reporting period of June 2002 through November 2002. The report indicates formal complaints filed against ESPs with the Commission's Docket office as well as formal investigations instituted by the Commission's Consumer Services Division. The registered ESPs appearing on the report were those as of January 17, 2003. The non-registered ESPs on the report are companies that have submitted direct access service requests (DASRs) to the utility distribution companies.

Yours truly,

Richard W. Clark, Director
Consumer Protection and Safety Division

**Number of ESP Formal Complaints and Investigations Per Company
June 2002 – November 2002**

Registered ESPs	Complaints per customer	Investigations
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3 Phases Electrical Consulting	0	
ACN Energy, Inc	0	Investigation (A)
American Utility Network (A.U.N.)	0	
AOL Utility Corp	0	
Arizona Public Service (APS)	0	
electricAmerica/Commonwealth	0	
Energy America, LLC	0	Investigation (1)
Enron Energy Marketing Corp	0	
Enron Energy Services, Inc	0	
Green Mountain Energy Company	0	
Modesto Irrigation District	0	
New West Energy	0	
Sempra Energy Solutions	0	
Strategic Energy LLC	0	

Non-registered ESPs

AES NewEnergy, Inc	0	
Constellation NewEnergy, Inc	0	
Coral power LLC		
Corona, City Utilities Dept		
Laguna Irrigation District	0	
Pilot Power Group	0	

(A) An investigation is on-going against ACN.

Footnote: To accurately reflect ESP complaint activity, below is the informal complaint activity for the period of June 2002 through November 2002:

Money impounded for ESP informal complaints	\$ 1,324
Number of ESP informal complaints	49

(1) Settled